

SUBPART B - USE OF NON-NRCS ENGINEERING SERVICES

TN505.10(a)(2)(iii)

TN505.10 Non-project activities.

(a) Non-NRCS Engineering Services

(2)(i) It is NRCS policy in Tennessee to encourage the use of non-NRCS engineering services in planning and applying soil and water conservation measures, regardless of size, for individuals or groups who wish to use these services and where NRCS standards and specifications will be followed.

(ii) Non-NRCS engineering services should be used for jobs that exceed the engineering job approval authority of the Area Engineer (AE). Where requests for technical services are beyond the normal capabilities, staff time, and/or resources available at the field offices, the Area Conservationist (AC) may set the limits of NRCS assistance to an engineering job class below that of the AE's engineering job approval authority. This will allow NRCS to work on jobs within available resources and to further encourage the use of non-NRCS engineering services. Requests for engineering assistance exceeding the AE's engineering job approval authority are to be submitted to the State Conservationist (STC) by the AC for approval prior to committing resources beyond a preliminary investigation.

(iii) Non-NRCS engineering services shall be used for jobs that exceed the engineering job approval authority of the state conservation engineer (Class VI and greater), unless specifically authorized by the STC. Unless additional assistance is authorized, NRCS assistance on these jobs shall be limited to conservation planning assistance, preliminary investigations, furnishing criteria and consultative assistance. Requests for NRCS assistance on these complex jobs will be in writing from the AC to the STC. The STC will evaluate the request and decide the extent of assistance that NRCS can provide and so inform the AC. The request shall include, but not be limited to, the following information:

- Location of the proposed job.
- General description of the proposal and brief discussion of its complexities.
- Purpose of the proposed work.
- Landowner or operator, group, or organization requesting assistance.
- Estimated cost of the job.
- Availability of non-Service engineers.
- Engineering assistance needed that cannot be provided at the area level such as geology, structural design, etc.
- Assurance that interested landowner(s) or operator(s) will install the facility in accordance with the plans and specifications. (Note: landowner(s) or operator(s) will be required to pay for necessary soil mechanics laboratory tests.)
- Area staff recommendation on what assistance NRCS should provide.

TN505-12(1)

TN505.10(b)

(b) Technical Services.

(1) Utilizing technical services.

(i) Qualified contractors and other qualified individuals should be encouraged to design, layout, and provide construction checkout of conservation practices. To facilitate this, field offices should determine the training needs of local contractors and provide training where applicable. Training may include such items as how to perform design surveys, how to use NRCS standards and specifications, how to perform construction layout surveys from benchmarks and reference stakes or lines, how to prepare engineering designs, and how to perform construction checks.

(ii) The cooperator and the person providing technical services shall be informed and understand that they are responsible for the accuracy of the survey and supporting data. The survey, design, and supporting data need not be the format used by NRCS, but must be legible and understandable. The NRCS acceptance of a design is based on the assumption that the survey and supporting data are accurate.

(iii) To ensure conformance to NRCS standards and specifications, jobs designed by someone providing technical services shall be reviewed and approved by NRCS personnel having the appropriate engineering job approval authority prior to installation. If the NRCS employee responsible is satisfied that the design will meet standards and specifications, a statement such as the following shall be placed on the design and signed by the NRCS employee: "This design, as presented, will meet NRCS minimum standards and specifications."

(iv) The landowner and designer will be informed, preferably in writing, that the NRCS must be notified at least three days prior to the beginning of installation. Failure to inform the NRCS and not provide the NRCS an opportunity to inspect construction may result in the NRCS not being able to certify the practice as meeting standards and specifications.

(v) The certification of practices accomplished by non-NRCS personnel within the field office service area is the responsibility of the District Conservationist (DC). The DC may accept the final checkout and quantity documentation provided by individuals providing technical services as supporting data for certifying performance of a practice. The individual is to furnish signed statements, sketches, design data, and notes giving appropriate information and measurements to show that standards and specifications have been met and design quantities have been installed. The supporting data does not have to be in the format used by NRCS, but must be legible and understandable. This information must be on file before certifying the practice.

(vi) Utilizing technical services of non-NRCS employees does not relieve the DC of the responsibility for determining needs and practicability for cost-share programs.

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TN505.10(b)(1)(viii)

(vii) Where persons supplying technical services are utilized in providing construction documentation, a complete construction check (spot check) will be made on at least one (1) job, but not less than 10 percent of the jobs designed and/or installed by each individual during the year. Spot checks will be conducted by an NRCS engineer. The spot check notes will be recorded and filed in the field office. If it was determined that the individual performed unacceptable work, additional jobs will be checked and the AC will determine if a misunderstanding exists and if the individual can be depended upon to perform to the quality expected. If the individual produces poor quality plans, designs, or checking of completed installations, all the individual's documentation will not be utilized in certifying practices.

(viii) Laws and regulations - Those who provide technical services should be aware of state laws and regulations contained in Title 62 of the Tennessee Code Annotated, Tennessee Architects, Engineers, Landscape Architects, and Registered Interior Designers Law and Rules. The practice of engineering must be performed under the responsible charge of or by a registered professional engineer. Persons who are not registered professional engineers or who do not have a registered engineer to seal the specifications, construction drawings, reports, and other engineering documents must be careful not to be in violation of state law. Compliance with state law is the individual's responsibility, and NRCS acceptance of an individual's work does not suggest or imply compliance with state engineering registration requirements.

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